

1 A. -- the 5th of February.

2 Q. '03.

3 A. Yes.

4 [REDACTED]

5 while.

6 A. Yes.

7 Q. How long were you doing that?

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 Q. On 3/19 --

14 A. Yes.

15 Q. [REDACTED]

16 A. Yes.

17 Q. [REDACTED]

18 A. [REDACTED]

19 Q. During this time period, the January --
20 actually, I guess February/March time period, were you
21 having conversations with Margaret, or Pegge Humphrey?

22 A. Yes, I was.

23 Q. Can you tell me what kinds of conversations you
24 were having with her that you remember?



1 A. One of the conversations she told me they
2 wouldn't go on supporting me, that they were going to try
3 to find a place to place me. Let me see what else. I
4 was talking to her and talking about the short-term
5 disability, and she said that long-term disability didn't
6 kick in until you were out six months. And I said, "I
7 pay for long-term disability," and I said, "You people
8 are the reason that I'm like this," and I said, "I can't
9 take the pressure."

10 Q. But, in fact, what happened was that, once you
11 went out, you were on short-term disability?

12 A. Yes.

13 Q. Was that your full pay, at full pay?

14 A. Yes.

15 Q. That went for about six months?

16 A. It was supposed to, but actually, she was
17 trying to get me to come back to work before.

18 Q. Pegge was trying to get you to come back to
19 work?

20 A. Yes.

21 Q. But when the short-term disability coverage
22 benefit ended --

23 A. She told me that my benefits, my short-term
24 disability, had exhausted and that's when I told her that



1 my long-term disability that I was paying for, why didn't
2 it kick in. And I actually had to call the Cole House to
3 talk to one of the nurses from Health Services there, and
4 she's the one that told me that, once your short-term is
5 up after 26 weeks, your long-term kicks in.

6 Q. Right. So you have six months of short-term
7 disability and then when that's done, then your long-term
8 disability --

9 A. Long-term.

10 Q. That's what happened with you?

11 A. Yes.

12 Q. Your long-term disability benefit, was that at
13 full pay, also?

14 A. Yes.

15 Q. How long did that continue? Was that a
16 two-year period?

17 A. I think it exhausted in July of 2005.

18 Q. So that's about two years?

19 A. Uh-huh.

20 Q. July 2003 or beginning of August 2003 through
21 end of July 2005?

22 A. Yes. I believe that that's what it was.

23 Actually, it might have been -- let me clarify that. It
24 might have been September because they sent me a letter



1 A. Yes.

2 Q. [REDACTED]

3 A. Yes.

4 Q. [REDACTED]

5 A. [REDACTED]. Trying to think. [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 A. Yes.

11 Q. [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 A. Yes. [REDACTED]

15 [REDACTED] Yes.

16 Q. [REDACTED]

17 A. No, I don't believe so. [REDACTED]

18 [REDACTED]

19 Q. [REDACTED]

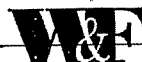
20 A. Yes.

21 Q. [REDACTED]

22 A. [REDACTED]

23 [REDACTED]

24 [REDACTED]



1 | Q.

2 | 

3 | A. Right.

4 | Q.

5

6	A. Right.
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7 | Q

8 | A. Yes.

9 Q. Do you think that you were able to work at that
10 time?

11 | A.

12 | ~~SECRET~~ no.

13 | Q.

14 | A. Yes.

15 Q. The bulk of your notes in Exhibit 3,
16 Defendant's Exhibit 3, are describing your feelings, your
17 symptoms, and so on.

18 | A. Yes.

19 Q. Why did you continue to keep this record, this
20 journal?

21 | A. For my own personal use.

22 Q. Were you writing things in it as they were
23 happening?

24 A. Yes. I would write down the bad things so I

1 could tell [REDACTED] what was going on because if I
2 didn't write it down, I would forget.

3 Q. So you would take this with you when you went
4 to see Dr. [REDACTED]?

5 A. No. I would write it down, tell him that I was

6 [REDACTED]

7 [REDACTED]

8 Q. So you didn't take it along with you?

9 A. No.

10 Q. Did you take it along when you went to see
11 [REDACTED]?

12 A. No, I did not.

13 Q. You continue to see [REDACTED] and

14 [REDACTED] In fact, you still see them now?

15 A. Today, yes.

16 Q. Did you have to fill out any forms to get
17 long-term disability benefits?

18 A. Yes, I did.

19 Q. Where did you get the forms for that?

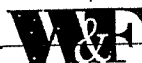
20 A. They sent them to me.

21 Q. In the mail?

22 A. Yes. Is that my whole folder?

23 Q. What?

24 A. All that.



1 Q. March the 3rd, '03.

2 So these are some of the forms that your
3 doctor provided to MBNA, correct?

4 A. Yes.

5 Q. The one that's dated April 3rd says, "Patient
6 is unable to work in same work environment"? Do you see
7 that?

8 A. Uh-huh.

9 Q. Did he show you or did he give you copies of
10 these forms?

11 A. No. No. Anything that I got from MBNA to give
12 to him he had faxed them.

13 Q. You didn't have copies?

14 A. I didn't receive copies, no. [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 A. Yes.

19 Q. At some point you applied for Social Security
20 disability benefits.

21 A. Yes.

22 Q. When did you do that?

23 A. I got my paper right here. I became disabled
24 January the 31st, 2003.



1 Q. You're looking at?

2 A. My disability insurance paper.

3 Q. This letter?

4 A. No. I don't think. Maybe it is. Yes.

5 MS. CHEEK: Let's mark that as an exhibit.

6 (Defendant's Deposition Exhibit No. 13 was

7 marked for identification.)

8 THE WITNESS: I forgot to tell you that
9 when I signed the release forms, that I also had to see
10 Social Security's [REDACTED] for an evaluation. Before
11 I was able to get Social Security.

12 BY MS. CHEEK:

13 Q. When did you see that [REDACTED]?

14 A. Oh, my God. Let me see.

15 Q. Was it in 2003?

16 A. Yes.

17 Q. Was that somewhere local that you went to see
18 that doctor?

19 A. Where did I go and see her at? It was around
20 Christiana. They set the date and the place and I had to
21 be there. I'm not for sure if it was -- what's that
22 building behind Christiana Hilton? That little office
23 complex there.

24 Q. Do you know whether it was a [REDACTED] or a



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[REDACTED]

A. [REDACTED]

Q. It was a woman?

A. Yes.

Q. Do you remember her name?

A. No, I do not. I'm sorry.

Q. Did you fill out papers in order to apply for Social Security disability?

A. Yes, I did.

Q. Do you still have copies of the papers?

A. Yes, I believe I do, at home. Probably not the application because I believe the woman did the application online, but I have all the paperwork that I had to give them.

Q. When you say the woman did it online, what woman do you mean?

A. At the Social Security Administration.

Q. So you went to a Social Security Administration office?

A. Yes.

Q. Where was that?

A. Right there on Commons Boulevard where the Social Security building is.

Q. Did you have to sign anything, any documents?



1 A. Yes, I did.

2 Q. But she didn't give you a copy?

3 A. No, I don't believe so. That's been too far to
4 remember.

5 Q. Exhibit 13, it's Bates numbered P00036, this is
6 a letter that you received or at least part of the letter
7 that you received. It says, "See next page," but you
8 don't have any next page. But this is the letter?

9 A. Uh-huh.

10 Q. Yes?

11 A. Yes. I'm sorry.

12 Q. This says that your monthly amount is \$1,054?

13 A. Yes.

14 Q. Is that still the amount that you're receiving?

15 A. No.

16 Q. How much are you receiving?

17 A. Now I get \$1,082. That's before my
18 prescription plan is taken out.

19 Q. How much is the prescription?

20 A. It's \$53 and some odd cents. I'm not for sure
21 about the cents.

22 Q. Does that prescription have a copay or does it
23 just cover the whole prescription cost?

24 A. I have a copay.



1 accident.

2 Q. Did you and Dr. [REDACTED] discuss what he was going
3 to put down on the form?

4 A. No. I just gave him -- I just faxed him the
5 form and let him fill it out.

6 Q. Did he ever tell you that he was putting on
7 here that you were permanently disabled?

8 A. No, he didn't.

9 Q. Has he ever told you that he believes that you
10 are totally disabled, permanently disabled?

11 A. Yes, he has now.

12 Q. He tells you that you're totally permanently
13 unable to work?

14 A. Yes.

15 Q. Do you agree with that?

16 A. Yes, I do. [REDACTED]

17 [REDACTED]

18 Q. [REDACTED]

19 A. [REDACTED]

20 (Defendant's Deposition Exhibit No. 17 was
21 marked for identification.)

22 BY MS. CHEEK:

23 Q. Let's talk a little bit more about that. When
24 did you have this conversation with him?



1 America?

2 A. Yes.

3 Q. Does he think it's a bad idea for you to work
4 anywhere?

5 A. No, he doesn't.

6 Q. Does he think you're able? What's your
7 understanding of his views on your ability to work?
8 Because you're not working, correct?

9 A. No, not right now.

10 Q. What does he think about your ability to work?

11 A. Of what I have told him, that eventually I do
12 want to go back to work, but I want to make sure that I'm
13 well enough to where I can go back to work.

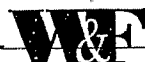
14 Q. Do you feel at present that you're well enough
15 to go back to work?

16 A. No. I called Social Security's rehabilitation
17 and hoping to get into some kind of retraining and I was
18 talking to the guy. He was asking me some questions and
19 I was being honest with him and [REDACTED]

20 [REDACTED] And I was telling him -- I wanted to
21 be upfront. [REDACTED]

22 [REDACTED] and I was wanting to get into some kind of
23 training. And he said that with my [REDACTED]

24 and me taking medication, that at this point he didn't



1 feel that I could get into rehab for any kind of
2 training.

3 Q. [REDACTED]

4 [REDACTED]

5 A. Yes.

6 Q. [REDACTED]

7 [REDACTED]

8 A. Yes.

9 Q. [REDACTED]

10 [REDACTED]

11 A. No.

12 Q. When was the conversation you had with the
13 Social Security Administration rehab guy?

14 A. I'll have to look at my paperwork because I
15 have it -- I believe I have it on there. I just have to
16 find it. I know I have it on here.

17 Q. Are you looking at Exhibit 3?

18 A. Yes.

19 Q. So it was at some point in 2003 that you spoke
20 to someone?

21 A. Yes.

22 Q. Have you spoken to anyone recently, though?

23 A. No. I look in the papers to see if there's
24 some kind of training that I can get into, but I don't



1 (Defendant's Deposition Exhibit No. 23 was
2 marked for identification.)

3 BY MS. CHEEK:

4 Q. Exhibit 23 is MBNA's answer to the complaint.
5 Have you seen that document before?

6 A. No.

7 Q. You can look at all of it. That last bit
8 wouldn't have been mailed to you. So no, you didn't
9 receive that?

10 A. Oh, yes, I did. Now I remember.

11 (Defendant's Deposition Exhibit No. 24 was
12 marked for identification.)

13 BY MS. CHEEK:

14 Q. Exhibit 24 is a letter dated September 12,
15 2005, to you from Tamika Sainten or Sainten --

16 A. Tamika Sainten, I think.

17 Q. -- at MBNA. Did you receive a copy of this
18 letter?

19 A. Yes, I did.

20 Q. This is talking to you about your employment
21 status with MBNA, correct?

22 A. Uh-huh.

23 Q. Had you filed an appeal from the ending of your
24 long-term disability benefits?



1 A. I don't believe so.

2 Q. So it says here that if you're interested in
3 final employment, you may apply for reemployment after
4 you obtain a medical release. But you haven't done that,
5 correct?

6 A. No.

7 Q. During the course of the investigation into
8 your discrimination charge, did the Department of Labor
9 give you any documents from MBNA? For example, did they
10 give you a copy of the position statement or did they
11 give you a copy of any of the documents that were
12 attached to MBNA's position statement?

13 A. I'm not sure I understand what you're saying.
14 When I went in and talked to the girl on April the 1st,
15 she wrote up the charge and just answers that I had given
16 her and that's all I got.

17 Q. She gave you a copy of that, of your charge?

18 A. Yes.

19 Q. But she didn't give you any papers after that,
20 like she didn't say to you here's something that MBNA has
21 given us, please respond?

22 A. I can't recall right offhand. But let me look
23 through these and see.

24 (Defendant's Deposition Exhibit Nos. 25 and



1 a decision based upon the information that I gave them.

2 Q. At the point in time when you applied for
3 Social Security disability benefits, did you view
4 yourself as completely unable to work?

5 A. Yes, I did.

6 Q. Did you talk to Dr. [REDACTED] about whether you
7 were completely unable to work in connection with that
8 application?

9 A. When he told me that I was permanently
10 disabled, I thought that that's what it meant, personally
11 disabled at that time and place.

12 Q. When did he tell you that?

13 A. Oh, God.

14 Q. Was this before you filed for Social Security
15 disability?

16 A. Yes, because otherwise I wouldn't have applied.

17 Q. Did you have any discussions with [REDACTED]
18 about your disability status?

19 A. No. We had talked, but I went in one day and
20 told her that I had applied for Social Security
21 disability, but at the time I didn't know the outcome.

22 Q. What did she say?

23 A. She just said that that was good.

24 Q. She didn't try to talk you out of it?



1 A. No.

2 Q. So I take it that you did not hire an attorney
3 to help you with your application.

4 A. I tried to and no one wanted to take it because
5 I didn't have 10 or 15 thousand dollars to put upfront,
6 and that's what they were asking. They have to have a
7 job. They're out to make money, too.

8 Q. We already talked about your application having
9 been granted, correct?

10 A. Yes.

11 Q. How much you're getting and all that.

12 A. Right.

13 Q. What's the current status of your claim? Are
14 they telling you they're going to review it in a certain
15 period of time or you haven't gotten any kind of --

16 A. They said that they would review it within five
17 to seven years. But I'm hoping to get into some kind of
18 training to where I can go back to work.

19 Q. Have you contacted any agencies about that, any
20 agencies that could help you get back to work?

21 A. Just that one guy from rehab.

22 Q. From the Social Security Administration?

23 A. Yes. That said that right now with me being
24 [REDACTED] that he couldn't put me in rehab



1 lopsided, I mean sideways. I'm unbalanced.

2 Q. Affects your balance?

3 A. Yes. I fell down the steps Sunday. I fell
4 down the steps.

5 Q. This past Sunday?

6 A. Yes.

7 Q. Have you fallen before?

8 A. Yes, I have. Probably five or six times.

9 Q. [REDACTED]

10 [REDACTED]

11 A. No. I've overmedicated myself.

12 Q. But that's something different.

13 A. Yes.

14 Q. [REDACTED]?

15 A. Yes.

16 Q. [REDACTED]

17 A. [REDACTED]

18 [REDACTED]

19 Q. [REDACTED]

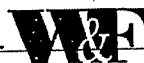
20 A. [REDACTED]

21 Q. [REDACTED]

22 A. [REDACTED]

23 [REDACTED]

24 [REDACTED]



1 A. No, it does not. It did when I first started
2 taking it 11 years ago.

3 Q. Is there any other medication that you take
4 that we haven't talked about?

5 A. I just take vitamins.

6 Q. [REDACTED]

7 A. No. When was that prescribed?

8 Q. February of this year.

9 A. No. He must have changed it because -- is that

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 Q. When you're taking your medication, do you have
16 any problems with your ability to perform manual tasks,
17 meaning doing things with your hands?

18 [REDACTED]

19 [REDACTED]

20 Q. But you're still able to do things with your
21 hands, like, I don't know, tonight wash dishes or weed
22 your garden?

23 A. I don't wash dishes. [REDACTED]

24 [REDACTED]



1 ladders, I can't use any electric tools, I can't cut the
2 grass.

3 Q. [REDACTED]

4 [REDACTED]

5 A. Yes.

6 Q. As far as walking, your ability to walk goes,
7 you can still get around?

8 A. Yes. [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 Q. Did you hurt yourself?

13 A. Yes. I held onto the railing, the rung of the
14 railing, and pulled a muscle and hurt it here, and when I
15 hit the step, I have a bruise all the way across my back
16 from falling. I fell all the way down the stairs.

17 Q. But other than occasionally losing your
18 balance, you don't have problems with walking; is that
19 correct?

20 A. Yes, that's correct.

21 Q. Does your medication affect your ability to
22 see?

23 [REDACTED]

24 [REDACTED]



- 1 Q. [REDACTED]
- 2 A. [REDACTED]
- 3 [REDACTED]
- 4 [REDACTED]
- 5 Q. [REDACTED]
- 6 A. [REDACTED]
- 7 Q. [REDACTED]
- 8 A. [REDACTED]
- 9 Q. [REDACTED]
- 10 A. Yes, I did.
- 11 Q. How did you manage that?
- 12 A. [REDACTED]
- 13 [REDACTED]
- 14 [REDACTED] It depends.
- 15 Q. [REDACTED]
- 16 A. [REDACTED]
- 17 Q. [REDACTED]
- 18 [REDACTED]
- 19 A. No.
- 20 Q. [REDACTED]
- 21 [REDACTED]
- 22 A. No, I do not.
- 23 Q. [REDACTED]
- 24 [REDACTED]

